



Federal Court of Australia

District Registry: Queensland

Division: General

No: QUD32/2018

**STEVEN NEVILLE STAATZ AS LIQUIDATOR OF WOLLUMBIN HORIZONS  
PTY LTD (IN LIQUIDATION) ACN 606 581 364**

Plaintiff

**RON BERRY** and another/others named in the schedule

Defendant

### **ORDER**

**JUDGE:** JUSTICE DERRINGTON

**DATE OF ORDER:** 11 July 2018

**WHERE MADE:** Brisbane

#### **THE COURT ORDERS THAT:**

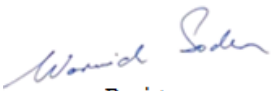
1. The interlocutory process filed on 18 May 2018 is dismissed.
2. The notice of cross-claim filed on 18 May 2018 is struck out.
3. The Second Defendant's:
  - (a) notice of cross-claim filed on 18 May 2018;
  - (b) interlocutory process filed on 18 May 2018;
  - (c) affidavit filed on 23 May 2018;
  - (d) outline of submission filed on 2 July 2018; and
  - (e) outline of submission filed on 10 July 2018,are to be marked as "suppressed" on the Federal Court Electronic File and are not to be accessed other than by leave of the Court.
4. The Plaintiff is to cause notice to be given to each of the persons named as a cross-claimant in the Second Defendant's notice of cross-claim, by sending to each of them by email, or where an email address is not known to the Plaintiff, by post to their



respective last known residential address, a letter from the plaintiff's solicitors summarising:

- (a) the outcome of the interlocutory application filed on 18 May 2018;
  - (b) that each such person has a right to be heard on the relief sought by the plaintiff on the originating process filed on 1 February 2018, and that each of those persons may be bound by final orders made in this proceeding; and
  - (c) that if any such person seeks to be heard on the relief sought by the Plaintiff in this proceeding, they should seek to be joined as a defendant to this proceeding.
5. The Second Defendant is to pay the Plaintiff's costs of and incidental to the interlocutory process filed on 18 May 2018 in this proceeding, and to the extent that such costs are not recovered by the Plaintiff from the Second Defendant, such costs be the Plaintiff's costs in the winding up of Wollumbin Horizons Pty Ltd (In Liquidation).
6. The Plaintiff have leave to apply to the Court at any time for an order that the costs in order 5 above be paid from amounts (if any) payable to the Second Defendant in the winding up of Wollumbin Horizons Pty Ltd (In Liquidation).

Date that entry is stamped: 23 July 2018

  
Registrar



## **Schedule**

No: QUD32/2018

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Defendant	ELIZABETH DRESDON
Second Defendant	GILLIAN NORMAN
Third Defendant	EMANUELE AGUS
Fourth Defendant	MELISSA HIRSCH
Fifth Defendant	STUART NEWMAN
Sixth Defendant	NORMA GEELIN MOU
Seventh Defendant	PHILLIP MORANDINI
Eighth Defendant	DEAN MOONEY
Ninth Defendant	CRAIG SCOTT

### **CROSS CLAIM**

Cross-Claimant	GILLIAN NORMAN
Cross-Claimant	NEAL PLANT
Second Cross-Claimant	RON BERRY
Third Cross-Claimant	ANDREW CODY
Fourth Cross-Claimant	NEIL PASCO
Fifth Cross-Claimant	NICOLE BARNES
Sixth Cross-Claimant	TERRY POULIOS
Seventh Cross-Claimant	NASTASJA POULIOS
Eighth Cross-Claimant	NICOLE STANTON
Ninth Cross-Claimant	MARY-LOU PLANT



Tenth Cross-Claimant	NEIL PLANT
Eleventh Cross-Claimant	TAMATI KIRKWOOD
Twelfth Cross-Claimant	STEPHANIE HUMBLE
Thirteenth Cross-Claimant	SHARON SIMMONS
Fourteenth Cross-Claimant	MARK FAGAN
Fifteenth Cross-Claimant	ELIZABETH DRESDON
Sixteenth Cross-Claimant	BRIAN ALDERMAN
Cross Respondent	STEVEN NEVILLE STAATZ AS LIQUIDATOR OF WOLLUMBIN HORIZONS PTY LTD (IN LIQUIDATION) ACN 606 581 364
Second Cross Respondent	ADRIAN PETER BRENNOCK
Third Cross Respondent	MARK JAMES DARWIN
Fourth Cross Respondent	PHILLIP DIXON